

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Davis, David et al. Serial No.: 10/656,598 Filed: September 5, 2003 Title: COMPOSITIONS AND METHODS FOR THE DIAGNOSIS AND TREATMENT OF TUMOR	Group Art Unit: 1642 Examiner: GODDARD, LAURA B. Confirmation No: 7980 Customer No: 09157 Electronically filed on January 4, 2007
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RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 C.F.R. §1.121

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Office Communication dated December 13, 2006, Paper No. 2, which relates to the Restriction Requirement dated May 30, 2006, please consider the following election and remarks.

Election:

Applicants received a Communication from the U.S. Patent and Trademark Office dated May 30, 2006 which contained a requirement for restriction under 35 U.S.C. § 121 in connection with the application captioned above. Applicants mailed a response to the restriction requirement, along with a request for a three (3) month extension of time on September 29, 2006. Such response was deemed non-responsive by the U.S. Patent and Trademark Office on December 13, 2006.

In view of the non-responsive response, Applicants hereby elect to prosecute the invention of Group X and further electing SEQ ID NOS: 1 and 2. Applicants further elect to